

## **ARTICLE 18**

### **HOLIDAYS**

#### **Section A. Designated Holidays.**

Permanent full-time employees shall be allowed eight hours paid absence from work on the following holiday dates, except as provided herein.

New Year's Day  
(January 1)

Veteran's Day  
(November 11)

Martin Luther King Day  
(3rd Monday in January)

Thanksgiving Day  
(4th Thursday in November)

President's Day  
(3rd Monday in February)

Thanksgiving Friday  
(Day after Thanksgiving)

Memorial Day  
(Last Monday in May)

Christmas Eve Day  
(December 24)

Independence Day  
(July 4)

Christmas Day  
(December 25)

Labor Day  
(1st Monday in September)

New Year's Eve Day  
(December 31)

In the discretion of the Employing Department, employees whose regular assignment is in a non-continuous operation, is dependent upon interaction with the administration, the courts, or employees outside the Bargaining Unit, and who work a regular Monday through Friday schedule, will observe the contractual holiday on the same day as that designated by the Civil Service Commission for similarly situated administrative employees.

#### **Section B. Eligibility.**

Permanent full-time employees, regardless of work schedule, qualify for paid holiday absence by being in full pay status:

1. (Continuing Employee) The employee's last scheduled work day immediately preceding the holiday and the first scheduled work day immediately following the holiday when both days fall within the same biweekly work period; or
2. (Separating Employee) The employee's last scheduled work day immediately preceding the holiday when the holiday occurs or is observed on the last scheduled work day of the biweekly work period; or
3. (New Employee) The employee's first scheduled work day following the holiday when the holiday occurs or is observed on the first scheduled work day of the biweekly work period. If a holiday occurs or is observed on the first scheduled work day of a new or returning employee's initial biweekly work period, such employee shall not qualify for paid holiday absence for that day.

An employee who is scheduled or required to work on a contractual holiday, but who fails to report for and perform such assigned work without reasonable cause, shall not be eligible to receive holiday pay for such holiday. An employee shall not be eligible for both holiday absence pay and any other form of paid leave on a contractual holiday.

An employee on a disciplinary suspension shall not lose his/her holiday eligibility solely as a result of the scheduling of the suspension.

### **Section C. Work on a Holiday.**

The Employer may require employees to work on a paid holiday. The Employer specifically reserves the right to determine the nature and level of work to be performed on paid holidays, as well as the sole discretion to schedule or not schedule employees on such paid holidays.

The Department of Community Health shall not schedule below the established minimum Forensic Security Assistant staffing level. In the Department of Corrections appropriate staff levels above the applicable full staffing Scheduling Plan shall be scheduled on those paid holidays when additional activities associated with observance of the holidays are scheduled.

Employees required to work on a holiday shall have such day treated as a regular workday.

Employees who are in pay status for more than 80 hours in a work period as a result of such holiday shall have the time in excess of 80 hours in a pay period treated as regular overtime work.

**Section D. Equivalent Allowance.**

Permanent employees who regularly provide less than full-time service are entitled to paid holiday absence in proportion to the time actually worked in accordance with current practice.

**Section E. Reduced Staffing Schedules – Department of Corrections.**

Due to reduced staffing needs on various holidays and in recognition of the value of allowing employees to enjoy a holiday absence, scheduling adjustments may be made. Continuous operations employees who were previously scheduled to work on the day of the holiday, and then designated to be given eight hours of paid absence from work on the holiday, shall be selected in the following manner:

1. The Employer will poll employees scheduled to work on the shift in high seniority order to determine each employee's preference regarding work on the holiday. Absence(s) will be granted on the basis of seniority.
2. If there are not enough volunteers to take the paid holiday absence, the Employer shall direct the least senior employee(s) scheduled to work to take the holiday absence. If additional holiday coverage is needed, employees required to take the holiday absence will be offered the opportunity to work in seniority order.

Such employees shall receive notice of such schedule not less than 96 hours prior to the beginning of the work period containing the holiday for which the paid absence will be authorized. Absent such notice, the employee shall be allowed to work his/her scheduled shift.

3. Exceptions to seniority-order scheduling may be made to account for any special qualifications that may be needed.

Regular days off which fall on a holiday will not be rescheduled. The Local Chapter President or, in his/her absence, the designee, shall be entitled to notice and to consultation with the Agency Employer regarding which positions will or will not be staffed.

**Section F. Holiday Scheduling-- Department of Community Health.**

The parties agree to the following procedure for reduced staffing schedules on holidays.

1. All of the contractual holidays will be treated individually.
2. Between 28 and 21 days prior to the pay period containing the holiday, all Nursing Department Forensic Security Assistants (FSAs) regularly scheduled to work the holiday will be asked their preference to either work or not work their shift on that holiday. Staff on each shift will be given their preference based on seniority.
3. FSAs on vacation during the 28 to 21 day request period will remain scheduled to work unless they submit a preference for a holiday absence. FSAs off on a leave of absence during the request period and who expect to be back to work before the holiday must submit their preference to the unit supervisor, or they will be scheduled for a holiday absence.
4. Holiday schedules will be posted 14 days prior to the beginning of the holiday pay period.
5. If an employee changes shift after the schedule is made, his/her schedule will go with him/her to the new shift.
6. In the event that call-ins or other circumstances leave the Agency short of staff on the holiday, FSAs normally scheduled to work but required to take the absence will be offered the opportunity to work in seniority order by shift in accordance with Article 18 §E of the collective bargaining agreement.
7. Any FSAs interested in working overtime on the holiday (any shift) must sign up on the "B" list; including FSAs scheduled to work other shifts, FSAs on scheduled RDOs, non-nursing FSAs, and FSAs who did not get their preference to work or who were granted a preference to have the day off and have now decided they would prefer to work.

8. Any "B" list employee who is contacted to work and refuses shall have those hours charged to them as if they had worked. If there are insufficient volunteers, the mandatory overtime process in Article 17 §F.2.b. will be utilized.
9. Employees may not sign up for three shifts on a holiday. An employee signing up for 24 continuous work hours, with or without their regularly scheduled shift, will be removed from all overtime "B" lists for that holiday.